

12-6-01

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: 28110/36858A

PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. 1.53

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

jc971 U.S. PTO  
10/003671  
11/02/01

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Nancy K. Mize and Dana A. Haley-Vincente

Title: NOVEL INTERLEUKIN-1 HY2 MATERIALS AND METHODS

1. Type of Application

- ☒ This is a new application for a  
☒ utility patent.  
☐ design patent.

☒ This application claims priority benefit of U.S. Provisional Application  
No. 60/245,346.

2. Application Papers Enclosed

- 1 Title Page  
213 Pages of Specification (excluding Claims, Abstract, Drawings & Sequence Listing)  
5 Page(s) of Claims  
1 Page(s) of Abstract  
10 Sheet(s) of Drawings (Figs. 1A to 7)  
☐ Formal  
☒ Informal  
32 Page(s) of Sequence Listing

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Patent Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **November 2, 2001**, in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No. EK657815295US.

  
Richard Zimmermann

3. Declaration or Oath

- ☐ Enclosed
  - ☐ Executed by (check all applicable boxes)
    - ☐ Inventor(s)
    - ☐ Legal representative of inventor(s)  
(37 CFR 1.42 or 1.43)
    - ☐ Joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached
      - ☐ The petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 are enclosed. See Item 5D below for fee.
- ☒ Not enclosed - the undersigned attorney or agent is authorized to file this application on behalf of the applicant(s). An executed declaration will follow.

4. Small Entity Status

- ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ A small entity statement is(are) attached.

5. Additional Papers Enclosed

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Declaration of Biological Deposit
- ☒ Computer readable copy of sequence listing containing nucleotide and/or amino acid sequence with 1.821 statement
- ☐ Microfiche computer program
- ☐ Associate Power of Attorney
- ☐ Verified translation of a non-English patent application
- ☐ An assignment of the invention
- ☒ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
- ☒ Return receipt postcard
- ☐ Other

6. **Priority Applications Under 35 USC 119**

Certified copies of applications from which priority under 35 USC 119 is claimed are listed below and

☐ are attached.

☐ will follow.

COUNTRY	APPLICATION NO.	FILED

7. **Filing Fee Calculation (37 CFR 1.16)**

A. ☒ **Utility Application**

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370.00		\$740.00
TOTAL	52 -20	= 32	X 9 =	\$288.00	X 18 =	\$
INDEP.	8 - 3	= 5	X 42 =	\$210.00	X 84 =	\$
<input checked="" type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 140 =	\$140.00	+ 280 =	\$
Filing Fee:				\$1,008.00	OR	\$

B. ☐ **Design Application (\$165.00/\$330.00)** Filing Fee: \$ \_\_\_\_\_

C. ☐ **Plant Application (\$255.00/\$510.00)** Filing Fee: \$ \_\_\_\_\_

D. **Other Fees**

☐ Recording Assignment [Fee -- \$40.00 per assignment] \$ \_\_\_\_\_

☐ Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached [Fee -- \$130.00] \$ \_\_\_\_\_

☐ Other \$ \_\_\_\_\_

**Total Fees Enclosed \$1,008.00**

8. Method of Payment of Fees

- ☒ Enclosed check in the amount of: \$ 1,008.00
- ☐ Charge Deposit Account No. 13-2855 in the amount of: \$ \_\_\_\_\_  
A copy of this Transmittal is enclosed.
- ☐ Not enclosed

9. Deposit Account and Refund Authorization

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 or under other applicable rules (except payment of issue fees), to Deposit Account No. 13-2855. A copy of this Transmittal is enclosed.

Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

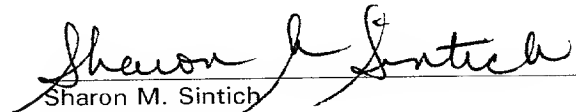
10. Correspondence Address

Customer No.: 04743

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6357  
(312) 474-6300  
(312) 474-0448 (Telefacsimile)

By:

  
Sharon M. Sintich  
Reg. No: 48,484

November 2, 2001

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): ) Title: Novel Interleukin-1 Hy2 Materials  
Mize et al. ) and Methods  
Serial No: To be assigned ) Group Art Unit: To be assigned  
Filed: Herewith ) Examiner: To be assigned

**REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)**

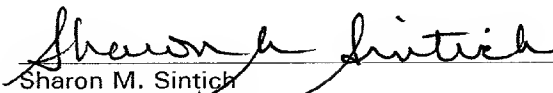
**Commissioner for Patents**  
**Washington, D.C. 20231**

Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 1.22(b).

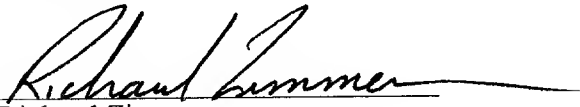
Respectfully submitted,  
MARSHALL, GERSTEIN & BORUN  
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Chicago, Illinois 60606-6357  
(312) 474-6300

By:

  
Sharon M. Sintich  
Reg. No: 48,484

November 2, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: ) "EXPRESS MAIL" mailing label No.  
Mize et al. ) EK657815295US  
)  
Filed: Herewith ) Date of Deposit: November 2, 2001  
) I hereby certify that this paper and all  
For: Novel Interleukin-1 Hy2 ) documents referred to therein as being  
Materials and Methods ) enclosed are being deposited with the United  
) States Postal Service "EXPRESS MAIL POST  
) OFFICE TO ADDRESSEE" service under 37  
) C.F.R. §1.10 on the date indicated above and  
) is addressed to the Commissioner for Patents,  
) Box Patent Application, Washington, D.C.  
) 20231.  
)  
)   
) Richard Zimmermann

**STATEMENT PURSUANT TO 37 C. F. R. §1.821(f) and (g)**

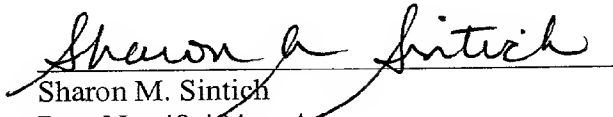
Commissioner for Patents  
Washington, DC 20231

Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively are the same and include no new matter.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6402  
(312) 474-6300

By:   
Sharon M. Sintich  
Reg. No. 48,484

November 2, 2001

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